Air Force Space Command

This Briefing is UNCLASSIFIED

SPACE AND MISSILE SYSTEMS CENTER (SMC

Mandatory E-Mail Disclosure Statement

PURPOSE

- Who is directing this change
- Why we need Disclosure Statements
- The 5 different Disclosure Statements and offices that maybe effected
  - Personal Privacy - Everyone
  - Acquisition - CONS
  - Legal - JA, CC
  - Medical - MDG, CC, CCF, CCQ
  - Other Deliberative Process - MDG, CCs, CCF, CCS

E-MAIL DISCLOSURE STATEMENTS

This direction is from AF/ILC, effective immediately and shall be incorporated within an Air Force Interim change to:

DoD Regulation 5400.7/AF Supp, DoD Freedom on Information Act Program

These statements are designed to advise the reader of the need to protect the information, the office that may authorize further distribution of the message, and the Freedom of Information Act (FOIA) exemptions that potentially apply.

When sending unclassified, but sensitive information electronically, authors are required to include a “disclosure statement” in the e-mail appropriate for the type of information involved.

Personal Privacy-Related

Use the following statement when sending e-mails that include, “records,
which if released, would result in a clearly unwarranted invasion of
personal privacy,” (Exemption 6 of the Freedom of Information Act):
(example: recall rosters, alpha roster, social rosters, other examples can be found
in AFI 33-332, C12.1.3, and DoDR 5400.7, C3.2.1.6)

“This electronic transmission may contain FOR OFFICIAL USE ONLY (FOUO) information that must be protected under the Privacy Act of 1974 (see AFI 33-332). Do not release outside of DoD channels without the consent of the originator’s office. If you received this message in error, please notify the sender by reply e-mail and delete all copies of message. “

Do not indiscriminately apply this statement to e-mails, use it only when actually transmitting this type of unclassified, but sensitive information.

Acquisition-Related

Use the following statement when sending e-mails that include, "trade secrets, and commercial or financial information obtained from a private non-government source that is privileged/confidential as defined by Exemption 4 of the Freedom of Information Act, 5 U.S.C. 552 (b)(4)):
(example: unit prices, bids, proposals ,other examples can be found in DoDR 5400.7, C3.2.1.4.)

"FOR OFFICIAL USE ONLY. This electronic transmission may contain trade secrets, or commercial or financial data not intended for disclosure outside government channels and exempt from mandatory disclosure under Freedom of Information Act, 5 U.S.C. 552. Exemption 4 may apply. Do not further distribute this message without the consent of the originator's office without the consent of the originator's office. If you received this message in error, please notify the sender by reply e-mail and delete all copies of this message."

Do not indiscriminately apply this statement to e-mails, use it only when actually transmitting this type of unclassified, but sensitive information.

Legal-Related

Use the following statement when sending e-mails that include, internal records that are deliberative in nature and are part of the decision-making process that contain opinions and recommendations", (Exemption 5 of the Freedom of Information Act FOIA):

(example: discussions between commanders and attorneys, legal opinions other examples can be found in DoDR 5400.7, C3.2.1.5.)

"FOR OFFICIAL USE ONLY. This electronic transmission may Contain work-product or information protected under the attorney-client privilege, both of which are protected from disclosure under the Freedom of Information Act, 5 USC 552. Do not release outside of DoD channels without the consent of the originator's office.

Do not indiscriminately apply this statement to e-mails. Use it only when actually transmitting this type of unclassified, but sensitive information.

Medical-Related

Use the following statement when sending e-mails that include information
obtained from personal medical records.
(example: diagnosis, treatments, medications other examples can be found in
DoDR 5400.7, C3.2.1.6)

"FOR OFFICIAL USE ONLY. This electronic transmission may contain personal medical information protected by the Privacy Act of 1974 (see AFI 33-332) and the Health Insurance Portability and Accountability Act (HIPPA) (see DoD 6025.18-R) not intended for disclosure outside government channels and exempt from mandatory disclosure under the Freedom of Information Act, 5 U.S.C., 552. Exemption 6 may apply. Do not release outside of DoD channels without the consent of the originator's office. If you received this message in error, please notify the sender by reply e-mail and delete all copies of message."

Do not indiscriminately apply this statement to e-mails. Use it only when actually transmitting this type of unclassified, but sensitive information.

Other Deliberative Process-Related

Use the following statement when sending e-mails that include, "internal records that are deliberative in nature and are part of the decision-making process that contain opinions and recommendations," (Exemption 5 of the Freedom of Information Act FOIA): (example: non factual portions of staff papers, to include after action reports, lessons learned, situation reports containing staff evaluations, advise, opinions or suggestions, see DoDR 5400.7-C3.2.1.5.)

FOR OFFICIAL USE ONLY. This electronic transmission contains internal matters that are deliberative in nature and/or are part of the agency decision-making process, both of which are protected from disclosure under the Freedom of Information Act, 5 USC 552. Do not release outside of the DoD channels without advance approval from the sender. If you received this message in error, please notify the sender by reply e-mail and delete all copies of this message.

Do not indiscriminately apply this statement to e-mails, use it only when actually transmitting this type of unclassified, but sensitive information.

SUMMARY

- These changes are directed by AF/ILC and will be incorporated into the
  DoD Regulation 5400.7/AF Supp

- Protecting information is critical to the Air Force mission accomplishment.
  With today's technology every piece of information, no matter how small
  or insignificant, may be part of a puzzle our adversaries can use against
  us.

- The Author of the e-mail is responsible for looking through the 5 different
  Disclosure Statements and apply the one that fits; Acquisition, Legal,
  Personal Privacy, Medical and Other Deliberative Process

Do not indiscriminately apply the disclosure statements to e-mails, use it only when actually transmitting that type of unclassified, but sensitive information.